

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA, <i>ex rel.</i> ,	)	
GREGORY M. GOODMAN,	)	
	)	
Plaintiff,	)	Civil Case No.: 3:13-cv-00760
	)	JUDGE TRAUGER
v.	)	
	)	
ARRIVA MEDICAL, LLC, et al.,	)	<b>JURY TRIAL DEMAND</b>
	)	
Defendants.	)	

**JOINT STIPULATION OF DISMISSAL OF DEFENDANTS ARRIVA AND ALERE**

Pursuant to Federal Rule of Civil Procedure 41(a)(2), the False Claims Act, 31 U.S.C. §§ 3729, *et seq.*, and in accordance with the terms and conditions of the Settlement Agreement with Defendants Arriva Medical, LLC and Alere, Inc. (collectively, “Arriva and Alere”), in this case, the United States and Relator Gregory Goodman jointly stipulate to the dismissal of Arriva and Alere with prejudice from this action. A copy of the Settlement Agreement with Arriva and Alere is attached. *See* Ex. 1 (Settlement Agreement with Arriva and Alere). On August 5, 2021, under the terms of the Settlement Agreement, Arriva and Alere made their total settlement payment. This action remains pending against the remaining Defendants – Ted Albin and Grapevine – who have not been dismissed by the Court.

The Relator, on behalf of himself, his heirs, successors, attorneys, agents, and assigns, stipulates and agrees that the Settlement Agreement referenced above and the terms and conditions described therein are fair, adequate, and reasonable under all of the circumstances of this case, that he will not challenge the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B), and that he expressly waives the opportunity for a hearing on any objection to the settlement under 31 U.S.C. § 3730(c)(2)(B).

Accordingly, subject to the terms of the Settlement Agreement, the United States and the Relator now stipulate to the entry of an order that (1) dismisses Arriva and Alere from the Amended Complaint in this action with prejudice as to all claims against Arriva and Alere; (2) provides that the Court retains jurisdiction over any disputes that may arise regarding the Settlement Agreement; and (3) provides that the Court retains jurisdiction over this action in so far as this case remains pending against Albin and Grapevine. A proposed order is attached.

Respectfully submitted,

For the United States:

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Middle District of Tennessee

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For the Relator:

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## CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing is being served, by use of the Court's electronic case management system, on August 10, 2021, to the following:

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s/ Ellen Bowden McIntyre  
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